

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRWP-7291 of 2022 (O&M)
Date of Decision: 16.11.2022**

Pushpinder Singh @ Noni

...Petitioner

Versus

State of Punjab & Ors.

...Respondents

CORAM : HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Suram Singh Rana, Advocate with
Mr. Chander Shekhar, Advocate
For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

KARAMJIT SINGH, J.

The instant writ petition has been filed by the petitioner under Article 226 of the Constitution seeking direction to respondents to grant emergency parole to the petitioner for a period of 6 weeks under Sections 3(1)(a) read with sub-Section 3(1)(d) of the Punjab Good Conduct Prisoners' (Temporary Release) Act 1962.

On notice of motion the State has filed status reports dated 08.09.2022 and 16.11.2022.

I have heard counsel for the parties.

The petitioner who is a life convict in a criminal case having FIR No.69 of 2008 dt 5.3.2008 under Section 302, 427, 120-B, 34 IPC, Police Station Sadar Jalandhar, Distt. Jalandhar was sentenced by the Court of learned Additional Sessions

Judge, Jalandhar vide order dated 10.08.2009 and the appeal filed by the petitioner was also disposed of by this Court vide order dated 23.05.2014.

The counsel for the petitioner submits that the petitioner has availed parole/ furlough on different occasions, without any default. That the petitioner is having old mother aged about 86 years and there is no major male member to look after her and she is suffering from heart ailment which requires surgery. In this regard, counsel for the petitioner produced one medical certificate dated 15.11.2022 issued by Dr. Chetan Goel of Guru Nanak Hospital Bhogpur (Jalandhar) which is taken on record. Counsel for the petitioner further made prayer that the petitioner be granted parole for a period of six weeks so that he could provide proper medical treatment to his mother.

The aforesaid medical condition of mother of petitioner has not been disputed by the State in its latest status report dated 16.11.2022. As per the said status report which has been filed by way of affidavit of Nirmal Singh, Assistant Commissioner of Police, Central (Jalandhar), the medical condition of mother of petitioner is not good and only wife of the petitioner is there to take her care.

As per the aforesaid status report it could be made out that even on previous occasions the petitioner availed parole without any default. Further there is nothing available on record to show that the release of petitioner on parole is likely to endanger the security of the State and maintenance of public order. Further it is clear that the mother of the petitioner requires immediate medical attention and there is no male member in the family to look after his mother.

In view of the above, the petitioner is hereby directed to be released on parole for a period of four weeks from the date of release to the satisfaction of District Magistrate concerned, who is further directed to impose such conditions as are required to secure the presence of petitioner in jail after the period of parole is over. The needful be done by the concerned authorities, expeditiously.

The present petition is allowed in the aforesaid terms.

16.11.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No